



09/864,510



5838-00300,

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§

§

§

§

§

§

§

§

§

§

§ § §

Application No.:

May 24, 2001 Filed:

Inventor(s): Murphy et al.

Title:

**VENTRICULAR** 

RESTORATION

SHAPING APPARATUS AND METHOD OF USE Examiner:

R. Lewis

Group/Art Unit:

3732

Old Atty. Dkt. No.:

28122.89

New Atty. Dkt. No.: 5838-00300

CERTIFICATE OF MAILING UNDER 37 C.F.R√§1.8

DATE OF DEPOSIT:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

> Commissioner for Paten Alexandria.

**RESPONSE TO OFFICE ACTION MAILED MAY 7, 2003** 

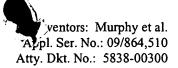
Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Remarks

Applicant hereby provisionally elects with traverse Species I, drawn to a balloon shaper and method of use as depicted in Figures 2a - 2f. Applicant submits that claims 1-12, 29-70, 74-95, 99-140, 146-154, 157-165, and 168-194 are readable on the elected species. Applicant reserves the right for consideration of claims to additional species written in dependent form upon allowance of a generic claim. Applicant reserves the right to file one or more divisional applications capturing the subject matter of the nonelected inventions.

Applicant believes that no fees are due in association with the filing of this document. If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are required, please charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5838-00300/EBM.





Respectfully submitted,

Neal E. Persky Reg. No. 53,452

Agent for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

P.O. Box 398

AUSTIN, TX 78767-0398

(512) 853-8800 (voice)

(512) 853-8801 (facsimile)

Date:

TECHNOLOGY CENTER RSTON